

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

---

No. 18-2478

---

RANDALL L. SPADE,  
Appellant

v.

UNITED STATES OF AMERICA

On Appeal from the District Court  
for the Middle District of Pennsylvania  
(D.C. Civ. No. 4-15-cv-02513)  
District Judge: Honorable Matthew W. Brann

---

Submitted Under Third Circuit L.A.R. 34.1(a)  
on March 22, 2019

Before: SHWARTZ, KRAUSE, and BIBAS, *Circuit Judges*

---

JUDGMENT

---

This cause came to be considered on the record from the United States District Court for the Middle District of Pennsylvania and was submitted pursuant to Third Circuit L.A.R. 34.1(a) on March 22, 2019.

On consideration whereof, it is now hereby ORDERED and ADJUDGED by this Court that the judgment of the District Court entered on May 8, 2018, be and the same is

hereby VACATED in all respects, and the case is REMANDED for further proceedings.

All of the above in accordance with the Opinion of this Court. Costs shall not be taxed.

ATTEST:

s/Patricia S. Dodszuweit  
Clerk

Dated: March 26, 2019

The seal of the United States Court of Appeals for the Third Circuit is circular. It features an eagle with spread wings perched atop a shield. The shield is divided into sections, with a constellation of stars in the upper left. The words "UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT" are inscribed around the perimeter of the seal.  
Certified as a true copy and issued in lieu  
of a formal mandate on 05/17/19

Teste: *Patricia S. Dodszuweit*  
Clerk, U.S. Court of Appeals for the Third Circuit